

IOWA BOARD OF DENTAL EXAMINERS

MINUTES JANUARY 18 AND 19, 2006

DES MOINES, IOWA

The meeting of the Iowa Board of Dental Examiners was called to order at 10:10 a.m. on Wednesday, January 18, 2006, in the conference room, 400 SW 8th St., Suite D, Des Moines, Iowa, by the Chairperson of the Board, Deena R. Kuempel, D.D.S.

Members present at the meeting:

Deena R. Kuempel, D.D.S., Chairperson
Richard M. Reay, D.D.S., Vice-Chairperson
Debra L. Yossi, R.D.H., Secretary
Elizabeth Brennan, Public Member
Gary D. Roth, D.D.S.
Suzan Stewart, Public Member
Peter L. Vidal, D.D.S.

Also present:

Constance L. Price, Executive Director
Linda Pickering, Administrative Assistant
Phil T. McCollum, Investigator
Dee Ann Argo, Administrative Assistant
Theresa O'Connell Weeg, Assistant Attorney General
Jennifer Hart, Executive Officer
Janet Arjes, Executive Officer

PUBLIC COMMENT

Dr. Kuempel allowed time for those present to comment.

MINUTES

The minutes of the October 27, 2005, meeting of the Board and the December 15, 2005, teleconference meeting were discussed by members of the Board.

Motion by Mrs. Yossi, seconded Dr. Roth, to approve the minutes of the October 27, 2005, meeting of the Board and the December 15, 2005, teleconference meeting as written.

Vote: Unanimous.
Motion carried.

EXECUTIVE DIRECTOR REPORT

FY 2006

Mrs. Price reported that we are half-way into the fiscal year. The Board members reviewed reports detailing the appropriation costs and funding, revenue retention costs and funding and the 90/10 costs and funding.

Mrs. Price reported that new fees went into effect November 2, 2005. We have revised forms and are addressing needed computer program revisions.

Mrs. Price reported that the computer support contract will expire June 30, 2006, and will not be renewed. The agency will explore other support options available while working with Iowa Access for revisions to the current system.

FY 2007

At the last meeting Mrs. Price reported that there were discussions regarding 2007 budget request concerning boards retaining their revenue. It appears that the department may be moving forward to request retention of 100% of revenue generated by licensing boards. Mrs. Price reported she will monitor this initiative.

CLOSED SESSION PAPERLESS

At the last meeting the members conducted its first paperless closed session. It was very successful. Mrs. Price expressed thanks to Board members and staff for their efforts toward this goal.

WEB SITE UPDATES

Mrs. Price reported that staff has added meeting notices and agendas to the web site.

NATIONAL PRACTITIONER DATA BANK

Mrs. Price reported that she received results of a survey conducted by the American Association of Dental Examiners (AADE) regarding queries to the data bank by dental boards. Most licensing authorities are not accepting self-query results for its initial, renewal or disciplinary processes. Of those states that do, it appears they are inclined to accept self queries for initial licensure only. In 2000, the National Practitioner Data Bank discontinued accepting checks and required a credit card or electronic funds transfer to pay for queries. If the

National Practitioner Data Bank did not charge a fee for queries from licensing boards, there would likely be an increase in usage.

JOINT COMMISSION ON NATIONAL DENTAL EXAMINERS

Mrs. Price reported that the American Dental Association is seeking applicants for its position of public member on the Joint Commission on National Dental Examinations. Both Suzan Stewart and Elizabeth Brennan expressed interest. As Mrs. Stewart is not eligible, letters in support of Mrs. Brennan have been filed.

MEETING WITH SENIOR DENTAL STUDENTS

Mrs. Price reported that the senior dental students would be available to meet with Board members on Wednesday, March 22, 2006, in Iowa City, Iowa. Depending on the number of Board members available, a closed session meeting may be conducted following the presentation.

MEETING WITH SOCIETY PRESIDENTS

Mrs. Price was asked to contact the presidents of the various dental societies to explore an informal meeting with the members of the Board to discuss subjects of interest to their membership. The meeting will be held during the annual session of the IDA in Des Moines, Iowa. A date and location of the meeting will be determined later.

COMPLAINTS

Mrs. Price reported that the number of complaints is down for calendar year 2005. Mrs. Price explained that the Board members should be pleased that this reduction in complaints could be the result of increased information and communication from the Board.

SELF ASSESSMENT TOOL

Mrs. Price advised the Board of some information which came to her attention from a licensee concerning self assessment forms sent out by another state board. The assessment contained real situations as observed by that state board through its complaint process. This was open for discussion. Mrs. Price reported that the Board staff has considered putting together an interactive quiz on the Board's web site. The members of the Board encouraged the development of this interactive informational project on its web site.

AMERICAN ASSOCIATION OF DENTAL EXAMINERS (AADE)

REPRESENTATION AT THE AADE MID-YEAR MEETING AND FORUM ON EXAMINATIONS

Motion by Mrs. Yossi, seconded Dr. Vidal, that Gary D. Roth, D.D.S. be delegated to attend the Mid-Year Meeting on March 19-20, 2006, in Chicago, Illinois. Dr. Roth will also attend the National Dental Examiners' Advisory Forum on March 21, 2006.

Vote: Unanimous.
Motion carried.

STATE BOARD LIAISON APPOINTMENT

Motion by Mrs. Yossi, seconded Dr. Vidal, that Deena R. Kuempel, D.D.S. be appointed as state board liaison to the AADE.

Vote: Unanimous.
Motion carried.

ANESTHESIA CREDENTIALS COMMITTEE

Gary D. Roth, D.D.S., Chairperson

Dr. Roth reported to the Board on the review of courses and requirements for issuance of a conscious sedation permit. Dr. Roth reported that the staff did query other states and found that all fifty states control or have permits for sedation. Thirty-three of the states regulate conscious sedation. Dr. Roth further explained that Part III of the ADA Guidelines recognizes both enteral and parenteral sedation. Iowa laws refer to enteral and parenteral sedation as conscious sedation.

Motion by Dr. Vidal, seconded Dr. Reay, to ask Dr. Roth to continue to work with staff and his committee on this issue and report to the Board at the next meeting.

Vote: Unanimous.
Motion carried.

CONTINUING EDUCATION ADVISORY COMMITTEE

Eileen A. Cacioppo, R.D.H., Chairperson

SPONSOR APPLICATIONS

Mrs. Price presented the report from Mrs. Cacioppo, who was unable to attend this meeting.

Mrs. Price reported that an application for approval as a sponsor of continuing education courses and programs was received from Indian Hills Community College. The application did not reflect any dentally related programs which would warrant sponsor status and did not offer any examples of topics, presenters, timelines, etc.

Motion by Dr. Roth, seconded Mrs. Yossi, to deny sponsor status at this time, but the Board would consider prior approval of individual programs related to dentistry.

Vote: Unanimous.

Motion carried.

Mrs. Price reported that additional information was received in support of an application for approval as a sponsor of continuing education courses and programs from The Mentoring Dentist.

Motion by Dr. Roth, seconded Mrs. Brennan, to grant approval to The Mentoring Dentist as a sponsor of continuing education activities in Iowa with the condition that all courses are submitted for prior approval.

Vote: Unanimous.

Motion carried.

CENTRAL REGIONAL DENTAL TESTING SERVICE, INC. (CRDTS)

DENTAL STEERING COMMITTEE REPORT

Richard M. Reay, D.D.S.

There is no report at this time.

DENTAL EXAMINATION REVIEW COMMITTEE REPORT
Gary D. Roth, D.D.S.

There is no report at this time.

DENTAL HYGIENE EXAMINATION REVIEW COMMITTEE REPORT
Eileen A. Cacioppo, R.D.H.

There is no report at this time.

ANNUAL MEETING AND WORKSHOP SESSION
MARCH 2-4, 2006

The CRDTS Annual Meeting and Workshop Session will be held March 2-4, 2006, in Kansas City, Missouri. CRDTS will fund six designees for this meeting. The following Board members will attend the meeting: Peter L. Vidal, D.D.S., Eileen A. Cacioppo, R.D.H., and Gary D. Roth, D.D.S. Dr. Vidal will attend the Steering Committee meeting in place of Richard M. Reay, D.D.S.

Motion by Mrs. Yossi, seconded Dr. Roth, to approve Marijo Beasler, R.D.H., David C. Holmes, D.D.S. and John V. Doering, D.D.S. as the deputy examiners designated to attend the Annual Meeting and Workshop Session.

Vote: Unanimous.
Motion carried.

DENTAL HYGIENE COMMITTEE
Debra L. Yossi, R.D.H., Chairperson

Mrs. Yossi reported that the Dental Hygiene Committee met earlier in the day.

The Committee considered public comments received on the rules regarding supervision of a hygienist – sequence of service and suggests the Board adopt those rules with minor wording changes.

The Committee considered a draft of a Notice of Intended Action allowing applicants for dental hygiene licensure to complete the examination administered by ADEX to qualify for licensure by examination. The Committee recommends the Board file Notice of Intended Action.

Motion by Dr. Reay, seconded Mrs. Brennan, to accept the report of the Dental Hygiene Committee.

Vote: Unanimous.
Motion carried.

DENTAL ASSISTANT REGISTRATION COMMITTEE

PLACEMENT OF A DENTAL ASSISTANT ON THIS COMMITTEE

At the last meeting of the Board, during the opportunity for public comment at the conclusion of the meeting, it was suggested that the Board include a dental assistant on the Dental Assistant Registration Committee. The Iowa Dental Assistants Association submitted names of dental assistants who would be willing to serve on this committee. The recommendation of the Committee is to appoint Denise Bell, CDA to the Dental Assistant Registration Committee.

Motion by Mrs. Yossi, seconded Dr. Reay, to appoint Denise L. Bell, CDA, to the Dental Assistant Registration Committee.

Vote: Unanimous.
Motion carried.

CONSIDERATION OF EXPANDED FUNCTION COURSES

The committee received requests for approval of the following expanded function courses. The committee recommends approval.

Dr. Connie Miller's joint expanded function course:

- 1) Placement and Removal of Gingival Retraction.
- 2) Applying Cavity Liners and Bases, Desensitizing Agents and Bonding Systems.
- 3) Testing Pulp Vitality.

Linda Aschtgen's joint expanded function course:

- 1) Applying Liners and Bases, Desensitizing Agents and Bonding Systems.
- 2) Placement and Removal of Dry Socket Medication.
- 3) Placement of Periodontal Dressings.
- 4) Testing Pulp Vitality.

Motion by Dr. Reay, seconded Mrs. Brennan, that the Board accept the committee recommendation to approve the expanded function courses.

Vote: Unanimous.
Motion carried.

CONSIDERATION OF RULES

IOWA ADMINISTRATIVE CODE 650
CHAPTER 11, LICENSURE TO PRACTICE DENTISTRY OR DENTAL
HYGIENE
CHAPTER 12, DENTAL AND DENTAL HYGIENE EXAMINATIONS

Mrs. Price explained the purpose of the amendments is to allow applicants for dental or dental hygiene licensure to complete the examination administered by the American Board of Dental Examiners, Inc. (ADEX) to qualify for dental or dental hygiene licensure by examination. Applicants for licensure by examination may also take either the Central Regional Dental Testing Service, Inc. (CRDTS) examination or the Western Regional Examining Board, Inc. (WREB) examination.

Motion by Dr. Vidal, seconded Dr. Reay, to file Notice of Intended Action. A public hearing will be held on March 7, 2006.

Vote: Unanimous.
Motion carried.

IOWA ADMINISTRATIVE CODE 650
CHAPTER 14, RENEWAL
CHAPTER 25, CONTINUING EDUCATION

Mrs. Price explained that the amendments specify that the cardiopulmonary resuscitation (CPR) course required for issuance, renewal, or reinstatement of a license, permit, or registration must include a clinical component. The purpose of the amendments is to protect patient safety by ensuring that licensees, permit holders and registrants demonstrate clinical CPR skills and do not simply take a home-study or online CPR course.

Motion by Dr. Roth, seconded Mrs. Yossi, to file Notice of Intended Action. A public hearing will be held on March 7, 2006.

Vote: Unanimous.
Motion carried.

IOWA ADMINISTRATIVE CODE 650
CHAPTER 29, DEEP SEDATION/GENERAL ANESTHESIA, CONSCIOUS
SEDATION AND NITROUS OXIDE INHALATION ANALGESIA

Mrs. Price explained that this amendment clarifies procedures for the renewal and reinstatement of permits to administer deep sedation/general anesthesia and conscious sedation. Mrs. Price reported that a public hearing was held on October 18, 2005. One written comment in support of the amendments was received.

Motion by Roth, seconded Mrs. Yossi, to adopt the amendment to Chapter 29. The amendment will become effective March 22, 2006.

Vote: Unanimous.
Motion carried.

IOWA ADMINISTRATIVE CODE 650
CHAPTER 10, GENERAL REQUIREMENTS

Mrs. Price explained that this amendment clarifies the sequence of services provided to new patients by a dental hygienist. This amendment allows the dental hygienist to provide services prior to the dentist examining the patient as long as the services provided are rendered under direct or public health supervision. The amendment also requires that the dentist conduct an examination of the new patient during the initial visit. A public hearing was held on October 18, 2005. One comment on the amendments was received. In response to the comments, one change has been made to the noticed rules.

Motion by Mrs. Yossi, seconded Dr. Roth, to adopt the amendments to Chapter 10. The amendments will become effective March 22, 2006.

Vote: Mrs. Yossi, aye; Mrs. Brennan, aye; Dr. Roth, aye; Mrs. Stewart, aye; Dr. Vidal, aye; Dr. Reay, nay.
Motion carried 5-1.

LEGISLATIVE INITIATIVES
PROPOSED LEGISLATION FOR 2006 LEGISLATIVE SESSION

Mrs. Price reported that the Iowa Board of Pharmacy is continuing discussions with interested parties concerning the Iowa Prescription Monitoring Program/Controlled Substance Central Data Base.

Theresa O'Connell Weeg, Assistant Attorney General reported on the issue of the confidentiality of a Statement of Charges. A judge has ruled charges are public information but boards must be cautious of releasing too much information. For now, the Statement of Charges and Notice of Hearing are taking a different look. A separate document contains confidential facts supporting the charges. The Iowa Department of Public Health is looking at legislation to clarify the issue.

Mrs. Price reported that the Administrative Rules Review Committee has voted to refer to the General Assembly for further study the Board's rules related to the obligation of all licensees and registrants to make mandatory reports of any acts or omissions that could constitute a basis for disciplinary action when committed by another person regulated by the Board as required by Iowa Code section 272C.9.

Mrs. Price asked that the Board consider a letter dated January 17, 2006, from the Iowa Dental Association (IDA) asking that the Board take action at this meeting to either rescind or begin the process to rescind the previous revisions adopted by the Board or the IDA would instigate intervention by the General Assembly.

The members of the Board discussed and considered this matter and concluded that it would not revisit the issue at this time.

APPLICATIONS FOR LICENSURE/PERMITS/REGISTRATION

REQUEST FOR REFUND

The Board received a request for refund of the fee paid for a dental assistant to begin trainee status. After two weeks of training, the dental assistant left the state.

Motion by Dr. Roth, seconded Mrs. Stewart, to deny the request for refund of the fee paid for trainee status as a dental assistant.

Vote: Unanimous.
Motion carried.

The following applications for license were presented to the Board for review. All applications were approved. The Dental Hygiene Committee recommends that the Board approve the dental hygiene applications for licensure.

Applications for Dental Hygiene Licensure by Examination

Melissa Ann Crawford, R.D.H.
Kelli Suzann Caldwell, R.D.H.
Meredith Ann Vos, R.D.H.
Angela Marie Saal, R.D.H.
Emilia Toliver, R.D.H.
Crystal Lynn Fecht, R.D.H.

Applications for Dental Licensure by Examination

Meghan Ruth Schultz, D.D.S.
Valerie Barros Jennings, D.D.S.
Angela Nicole Forsberg, D.D.S.
Dominic G. Morio, D.D.S.

Applications for Dental Licensure by Credentials

Kathleen Marie Durham, D.M.D.

OPPORTUNITY FOR PUBLIC COMMENT

The Chairperson of the Board allowed time for those present to comment.

The Board recessed at 4:55 p.m. on January 18, 2006, to continue the meeting on Thursday, January 19, 2006, in the conference room, 400 SW 8th St., Suite D, Des Moines, Iowa. The meeting was called to order at 8:30 a.m. by the Chairperson of the Board, Deena R. Kuempel, D.D.S.

The following members were present at this portion of the meeting.

Deena R. Kuempel, D.D.S., Chairperson
Richard M. Reay, D.D.S., Vice-Chairperson
Debra L. Yossi, R.D.H., Secretary
Elizabeth Brennan, Public Member
Alan D. Hathaway, D.D.S.
Gary D. Roth, D.D.S.
Suzan Stewart, Public Member
Peter L. Vidal, D.D.S.

Also present: Constance L. Price, Executive Director
Linda Pickering, Administrative Assistant
Phil T. McCollum, Investigator
Dee Ann Argo, Administrative Assistant
Janet Arjes, Executive Officer
Theresa O'Connell Weeg, Assistant Attorney General

DISCIPLINARY ORDERS

IN THE MATTER OF
CHARITY N. GATHRIGHT, R.D.H.

Dr. Roth did not participate in this matter.

Motion by Mrs. Yossi, seconded Dr. Vidal, that the Board accept the Dental Hygiene Committee's recommendation and approve the proposed Reinstatement Order. The Board also determined to send a letter to this licensee stating that she will need to enroll in a local anesthesia refresher course in order to be able to utilize her local anesthesia permit.

Vote: Dr. Reay, aye; Mrs. Yossi, aye; Mrs. Brennan, aye; Dr. Hathaway, aye;
Mrs. Stewart, aye; Dr. Vidal, aye; Dr. Roth, abstain.
Motion carried.

IN THE MATTER OF
MARGARET A. KRAMER, D.D.S.

Motion by Mrs. Yossi, seconded Dr. Vidal, that the Board approve the Combined Statement of Charges, Settlement Agreement, and Final Order as proposed in this matter.

Vote: Unanimous.
Motion carried.

IN THE MATTER OF
DERESA L. HORSWILL, D.A.

Motion by Mrs. Yossi, seconded Dr. Vidal, that the Board approve the Stipulated Registration Order in this matter.

Vote: Unanimous.
Motion carried.

IN THE MATTER OF
GARY L. WEBER, D.D.S.

Mrs. Brennan did not participate in this matter.

Motion by Mrs. Yossi, seconded Dr. Vidal, that the Board approve the Combined Statement of Charges, Settlement Agreement, and Final Order as proposed.

Vote: Mrs. Yossi, aye; Dr. Reay, aye; Dr. Hathaway, aye; Dr. Roth, aye; Mrs. Stewart, aye; Dr. Vidal, aye; Mrs. Brennan, abstain.
Motion carried.

NEXT MEETING OF THE BOARD

The next meeting of the Board is scheduled for April 4 and 5, 2006, in Des Moines, Iowa.

ADJOURNMENT

The Board adjourned its meeting at 11:45 a.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'C. Price', is written over the printed name.

CONSTANCE L. PRICE
Executive Director

CLP/llp